



Paper No. 9

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In re Application of  
Matthew, et al.  
Application No. 09/475,365  
Filed: December 30, 1999  
Attorney Docket No. 40170.3US01

DECISION ON PETITION

This is a decision on the petition filed on July 9, 2001,  
pursuant to 37 CFR 1.137(b), to revive the above-identified  
application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to  
timely reply to the Notice to File Missing Parts of  
Nonprovisional Application, mailed February 10, 2000. This  
Notice set a period for reply of two (2) months from the mail  
date of the Notice. No extensions of time under the provisions  
of 37 CFR 1.136(a) were obtained. Accordingly, the above-  
identified application became abandoned on April 11, 2000. The  
instant petition precedes the mailing of a Notice of Abandonment.

With the instant petition, petitioner filed an executed  
Declaration Under 37 CFR 1.63 in reply to the Notice to File  
Missing Parts, and met all other requirements for a grantable  
petition under 37 CFR 1.137(b).

The application file is being forwarded to Technology Center 1600  
to await petitioner's reply to the Notice to Comply with  
Requirements for Patent Applications Containing Nucleotide  
Sequence and/or Amino Acid Sequence Disclosures, mailed July 16,  
2001.

Telephone inquiries related to this decision should be directed  
to Petitions Attorney Cliff Congo at (703) 305-0272.

Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy